

## **Delta Regional Authority – Fiscal Year 2014 Shutdown Plan**

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The following information is provided to detail the plan for Delta Regional Authority operations in the event of an appropriations hiatus.

Appropriations to carry out the program authorized by the Delta Regional Authority Act of 2000, as amended, have been made on an indefinite “no year” basis, and specifically, “remain available until expended.” (See Title IV Energy and Water Development Appropriations Act and Public Law 111-85 October 28, 2009.) All funds for the administration of the Office of the Federal Co-Chairman as well as funds for payment of the Federal share of the administrative expenses of the Authority are derived from a “lump sum” no-year appropriation.

The Delta Regional Authority actually is comprised of two separate and distinct fiscal entities: (1) the Office of the Federal Co-Chairman and (2) the Delta Regional Authority, which is the federal partner and its eight participating member states. The Office of the Federal Co-Chairman is funded with 100 percent federal funds, while the administrative expenses of the DRA are funded through 50 percent federal funds and 50 percent state funds (provided by DRA’s eight participating member states).

It is the Authority’s understanding that regardless of the status of its full-year FY2014 appropriation, the Authority may continue to incur obligations to the extent that those obligations can be funded by balances from its prior “no year” appropriations. Language in OMB Circular A-11, Section 124, Agency Operations in the Absence of an Appropriation, indicates that “Federal Agencies may incur no obligation that cannot lawfully be funded from prior year appropriations unless such obligations are authorized by law.”

The Authority believes it could operate for a short period of time by using its prior-year federal and state balances. Four to six staff would be used daily (on an alternating day-to-day basis) during such a period.

These four to six alternating staff would maintain operations essential to DRA's community and project investment stakeholders, just as DRA would do under more normal circumstances, which would include, as examples, project/program assistance and processing prior-year project reimbursement requests.

Should a complete shutdown of DRA operations become necessary, the agency will furlough all employees except those necessary to complete shutdown activities and to protect government property. Those employees will then work with OMB and GSA as necessary to secure files and records, to protect confidential material and government property, to make notifications of the suspension of DRA activities, and to perform any necessary administrative functions relevant to the shutdown. The shut-down process will be completed in one-half day.